

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MARY A. FROEHLICH,)	
)	
Plaintiff,)	C.A. No. 05-564 (SLR)
)	
v.)	
)	
THE GROUP LONG TERM CARE)	
BENEFITS PLAN OF VERIZON)	
COMMUNICATIONS, INC.,)	
)	
Defendant.)	

SCHEDULING ORDER

This _____ day of _____, 2006, the parties having satisfied their obligations under F.R.C.P. 26(f), and the Court having conducted a pretrial scheduling conference pursuant to F.R.C.P. 16 and D. Del. LR 16.2(a) and (b).

IT IS ORDERED THAT:

1. **Rule 26(a) Initial Disclosures.** The parties will exchange by March 30, 2006 the information required by F.R.C.P. 26(a)(1) and D. Del. 16.2.

2. **Discovery.**

(a) Discovery will be needed on the following subjects: Whether plaintiff qualifies for Long Term Care (LTC) benefits under the defendant Plan. Communications between plaintiff, the Plan and the Plan's insurance carrier regarding premium payments.

(b) All discovery shall be commenced in time to be completed by June 30, 2006.

(c) Maximum of 25 interrogatories by each party to any other party.

(d) Maximum of 25 requests for admission by each party to any other party.

(e) Maximum of 4 depositions by plaintiff, and 4 by each defendant.

(f) Each deposition limited to a maximum of 3 hours unless extended by

agreement of the parties.

(g) Reports from retained experts under Rule 26(a)(2) on issues for which any party has the burden of proof are due by July 14, 2006. Rebuttal expert reports are due by July 31, 2006.

(h) **Discovery Disputes.** Any discovery dispute shall be submitted to the Court pursuant to F.R.C.P. 37. During the course of discovery, each party is limited to two (2) Rule 37 motions. The Court shall make itself available, however, to resolve through a telephone conference, disputes that arise during the course of a deposition and disputes related to the entry of a protective order.

3. **Joinder of other Parties and Amendment of Pleadings.** All motions to join other parties and amend the pleadings shall be filed on or before April 28, 2006. At this time, the defendant anticipates joining the Plan's insurer, Mutual of Omaha Insurance Company as a third-party defendant.

4. **Settlement Conference.** Pursuant to 28 U.S.C. §636, this matter is referred to Magistrate Judge Thyng for the purpose of exploring the possibility of a settlement.

5. **Summary Judgment Motions.** All summary judgment motions shall be served and filed with an opening brief on or before August 31, 2006. Briefing shall be pursuant to D. Del. LR 7.1.2. No summary judgment motion may be filed more than ten (10) days from the above date without leave of Court.

6. **Applications by Motion.** Any application to the Court shall be by written motion filed with the Clerk. Unless otherwise requested by the Court, counsel shall not deliver copies of papers or correspondence to Chambers. **Any non-dispositive motion should contain**

the statement required by Local Rule 7.1.1.

7. **Motions in Limine.** All motions in limine shall be filed at least two weeks prior to the pretrial conference. All responses to said motions shall be filed at least one week before the pretrial conference.

8. **Pretrial conference.** A pretrial conference will be held on _____, 2006 at _____ a.m/p.m. in courtroom 6B, Sixth Floor, 844 King Street, Wilmington, DE 19801. The Federal Rules of Civil Procedure and D. Del. LR 16.4 shall govern the pretrial conference.

9. **Trial.** This matter is scheduled for a one (1) day bench trial commencing on _____, 2006 in courtroom 6B, Sixth Floor, 844 King Street, Wilmington, DE 19801. For purposes of completing pretrial preparations, the parties should plan on being allocated a total number of hours in which to present their respective cases.

Chief Judge Sue L. Robinson
United States District Court